

GWURR Package Cover Sheet

Site Name Horban Auto Body

Site Address 8739 Hwy. 13 North, Pittsville, WI 54466

BRRTS # 03-72-001294 Date of Closure Decision 9/9/99

Tax Parcel # Wood Co. # 22-00473A

☒ Groundwater Use Restriction

☒ Location map

☒ Detailed site map

☒ Groundwater flow/isoconcentration maps

☒ Geologic cross sections

☒ Latest table(s) of analytical results (soil results included only if soil deed restriction is incorporated into groundwater use restriction document)

☒ Closure letter(s)

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Document Number

GROUNDWATER USE RESTRICTION

857860

REGISTER OF DEEDS
WOOD COUNTY
RECORDED ON

01-14-2000 11:04 AM

RENE' L KRAUSE
REGISTER OF DEEDSREC. FEE 14.00
TRAN. FEE:
PAGES: 3Declaration of Restrictions

In Re: Part of the North Half of the Northwest Quarter and Northwest Quarter of the Northeast Quarter West of Yellow River, in Section 28, Township 23 North, Range 3 East, described as follows: Commencing at a point on the North line of said Section 28, 124 rods East of the Northwest corner of said section for a starting point, thence South 15 rods; thence East parallel with the North line of said Section 28 to the Westerly bank of said Yellow River; thence in a Northerly direction along the Westerly bank of the Yellow River to the North line of said Section 28; thence West along the North line of said Section to the place of beginning, excepting therefrom that part now used for highway purposes and excepting that property conveyed to Wood County described in Volume 150 of Deeds, page 160, Wood County Records, all in Wood County, Wisconsin.

Recording AreaName and Return Address

Mona & Walter Horban
8739 Hwy. 13 North
Pittsville, WI 54466
1900P

Parcel Identification Number (PIN)

STATE OF WISCONSIN)
)
COUNTY OF WOOD)

WHEREAS, Walter C. Horban and Mona C. Horban are the owners of the above-described property.

WHEREAS, one or more gasoline discharges have occurred on this property. Benzene and Naphthalene contaminated groundwater above ch. NR 140, Wis. Adm. Code, enforcement standards existed on this property at the following locations: Benzene above 5 ppb at monitoring wells MW-1 and MW-2 on October 30, 1997 and June 18, 1998, and, naphthalene above 40 ppb at monitoring well MW-1 on October 30, 1997 (see attached map showing monitoring well locations).

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct further groundwater or soil remediation activities on the property at the present time.

WHEREAS, natural attenuation has been approved by the Department of Natural Resources to remediate groundwater contamination exceeding ch. NR 140 groundwater standards within the boundaries of this property.

WHEREAS, construction of wells where the water quality does not comply with drinking water standards in ch. NR 809 is restricted by chs. NR 811 and NR 812, Wis. Adm. Code. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply.

NOW THEREFORE, the owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitation and restrictions:

Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater, or its successor agency, to determine what specific requirements are applicable, prior to constructing or reconstructing a well on this property. No well may be constructed on this property unless applicable requirements are met.

If construction is proposed on this property that will require dewatering, or if groundwater is to be otherwise extracted from this property, while this groundwater use restriction is in effect, the groundwater shall be sampled and analyzed for contaminants that were previously detected on the property and any extracted groundwater shall be managed in compliance with applicable statutes and rules.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction benefits and is enforceable by the Wisconsin Department of Natural Resources, its successors or assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that one or more of the restrictions set forth in this covenant is no longer required. Upon the receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be extinguished. If the Department determines that the restrictions can be extinguished, an affidavit, attached to a copy of the Department's written determination, may be recorded to give notice that this deed restriction, or portions of this deed restriction, are no longer binding.

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IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 14 day of Jan, 2000

Signature: Walter C Horban

Printed Name: WALTER C HORBAN

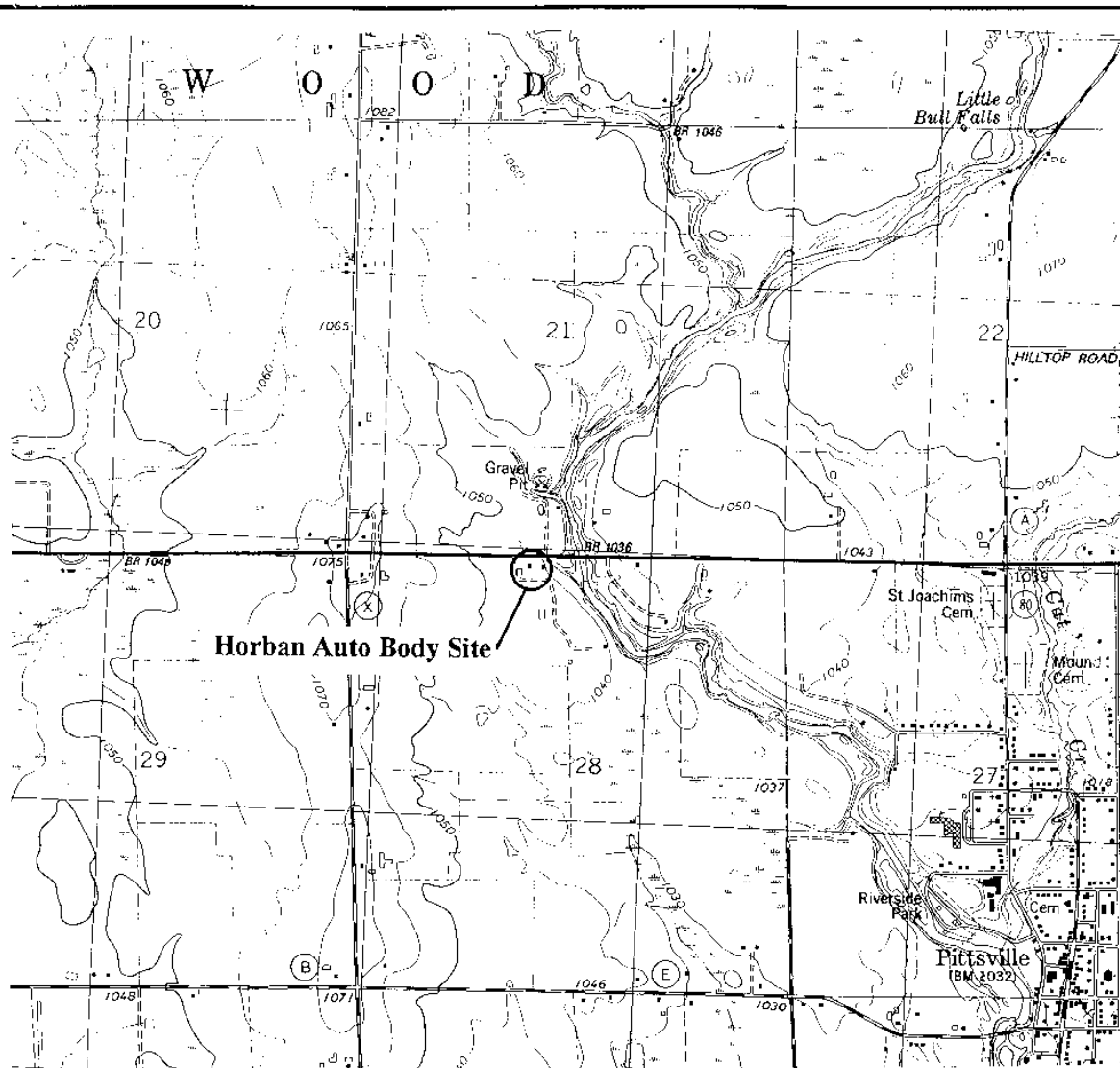
Subscribed and sworn to before me
this 14 day of JANUARY, 2000.

Rene L Krause
Notary Public, State of WISCONSIN

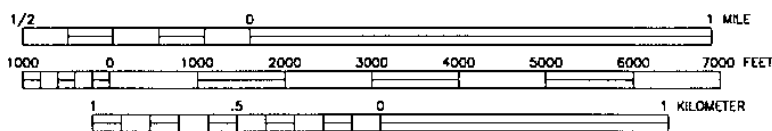
My commission 706-07(3)

RENE' L. KRAUSE

Drafted by - Tom Hrydzak



(USGS 1984) SCALE
PITTSVILLE QUADRANGLE 1:24000



CONTOUR INTERVAL 10 FEET



LOCATION



ENVIROGEN

COST EFFECTIVE LEADERSHIP FOR A CLEANER ENVIRONMENT

850 Hwy 153 Suite F
Mosinee, Wisconsin 54455

SITE LOCATION
MAP

HORBAN AUTO BODY SITE
PITTSVILLE, WISCONSIN

FIGURE NO.

DRAWING NO.	97-29-1-1
DRAWN BY:	RRT
CHECKED BY:	3/22/99
APPROVED BY:	4/14/99
REVISIONS:	WUL
ENGINEER	DATE
ENGINEER	DATE

LEGEND

—OH— OVERHEAD ELECTRIC LINE



SIGN

FORMER TANKS
FORMER PUMP ISLAND

HORBAN
AUTO
BODY

Ⓢ
SHOP
SERVICE
WELL

GARAGE
HOUSE

Ⓢ
HOUSE
WELL



ENVIROGEN

COST EFFECTIVE LEADER FOR A CLEANER ENVIRONMENT

850 Hwy 153 Suite F
Mosinee, Wisconsin 54455

SCALE



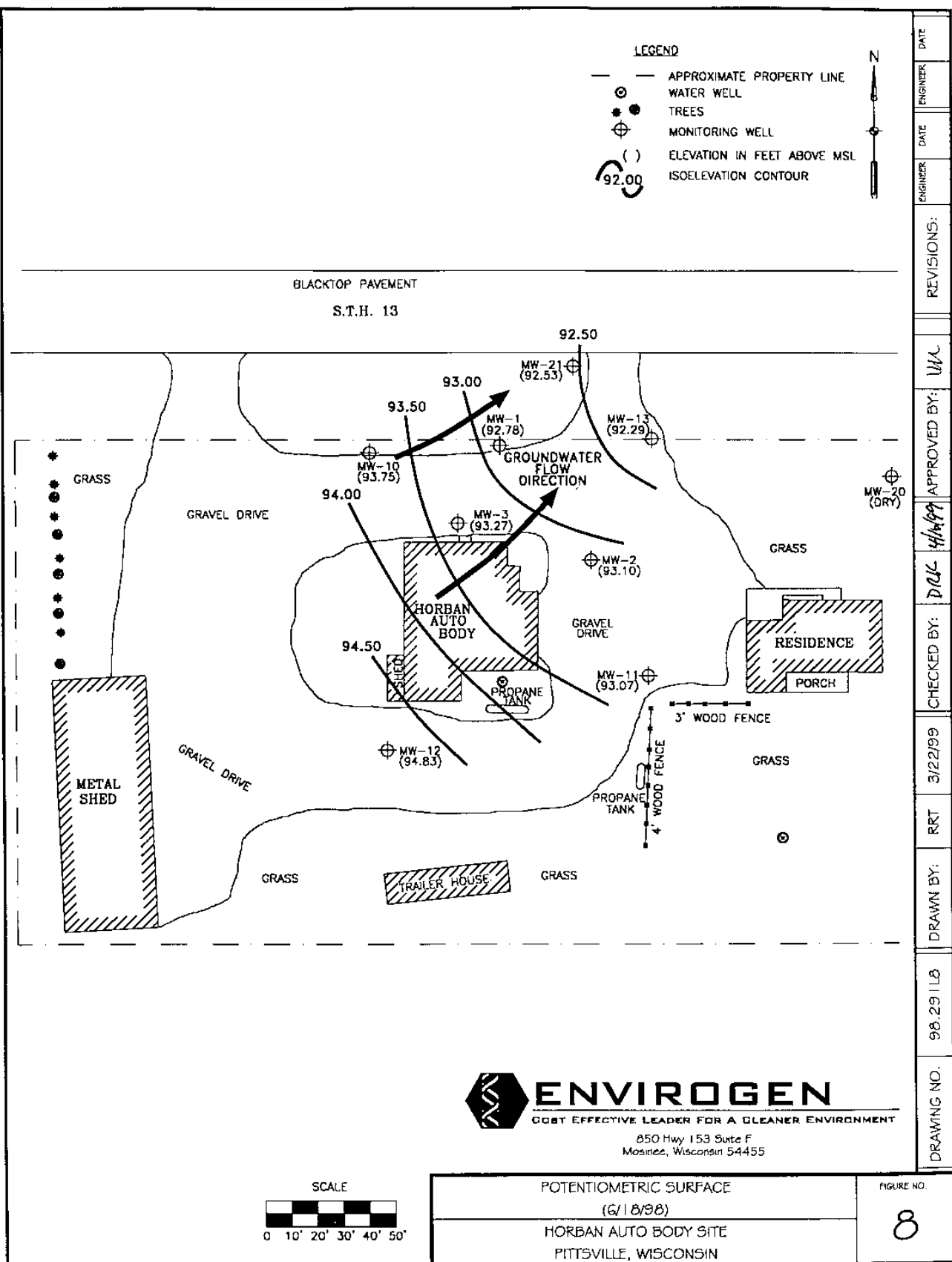
SITE PLAN VIEW

HORBAN AUTO BODY SITE
PITTSVILLE, WISCONSIN

FIGURE NO.

2

DRAWING NO.	98.29 J L2	DRAWN BY:	RRT	3/22/99	CHECKED BY:	DRC	APPROVED BY:	WJL	REVISIONS:	ENGINEER	DATE
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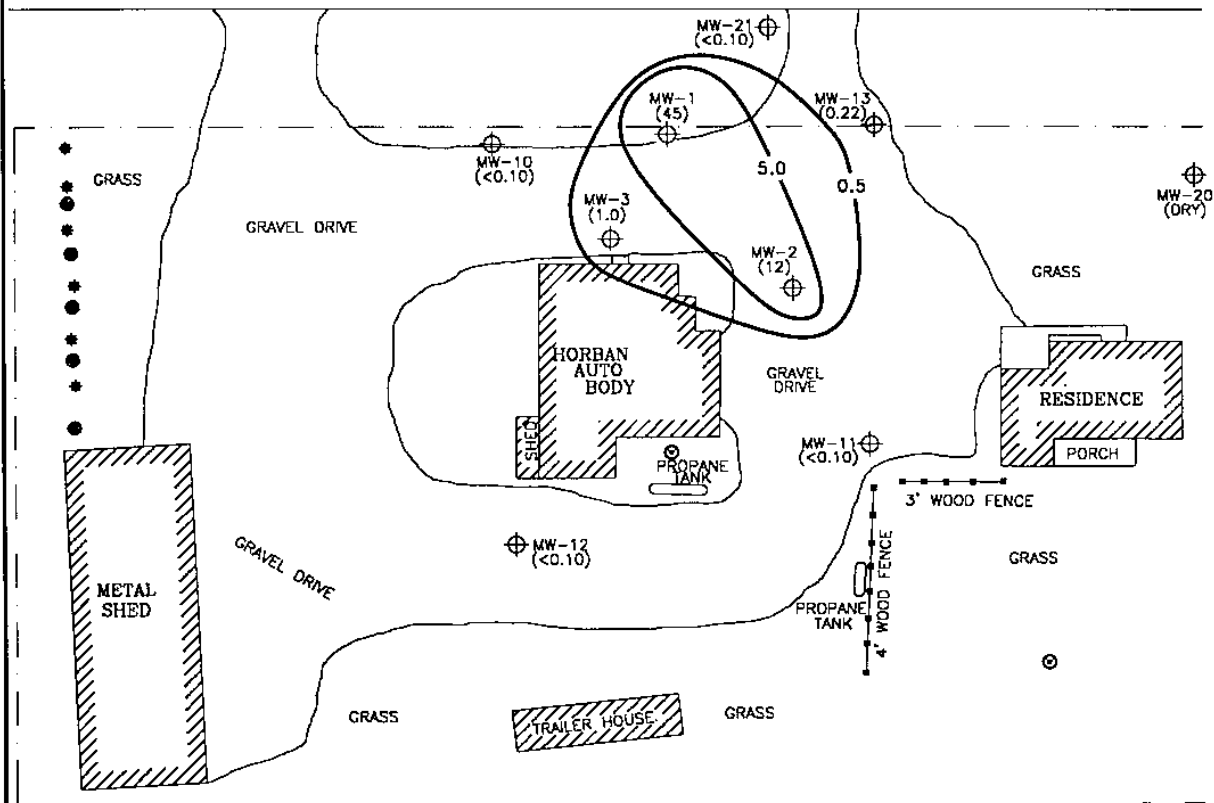
NOTES: MW-2 THROUGH MW-4 AND MW-10 THROUGH MW-13
WERE SAMPLED ON 2/9/98.
MW-1 AND MW-21 WERE SAMPLED ON 6/18/98.

LEGEND

- ○ — APPROXIMATE PROPERTY LINE
- TREES
- ⊕ MONITORING WELL
- () CONCENTRATION IN ppb
- 5.0 ISOCONCENTRATION CONTOUR



BLACKTOP PAVEMENT
S.T.H. 13

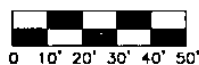


ENVIROGEN

COST EFFECTIVE LEADER FOR A CLEANER ENVIRONMENT

850 Hwy 153 Suite F
Mosinee, Wisconsin 54455

SCALE



GROUNDWATER BENZENE DISTRIBUTION
(2/09/98 AND 6/18/98)
HORBAN AUTO BODY SITE
PITTSVILLE, WISCONSIN

FIGURE NO.

7

ENGINEER	DATE
REVISIONS:	
APPROVED BY:	WLL
CHECKED BY:	DCL
3/22/99	
RRT	
DRAWN BY:	
98.29.17	
DRAWING NO.	

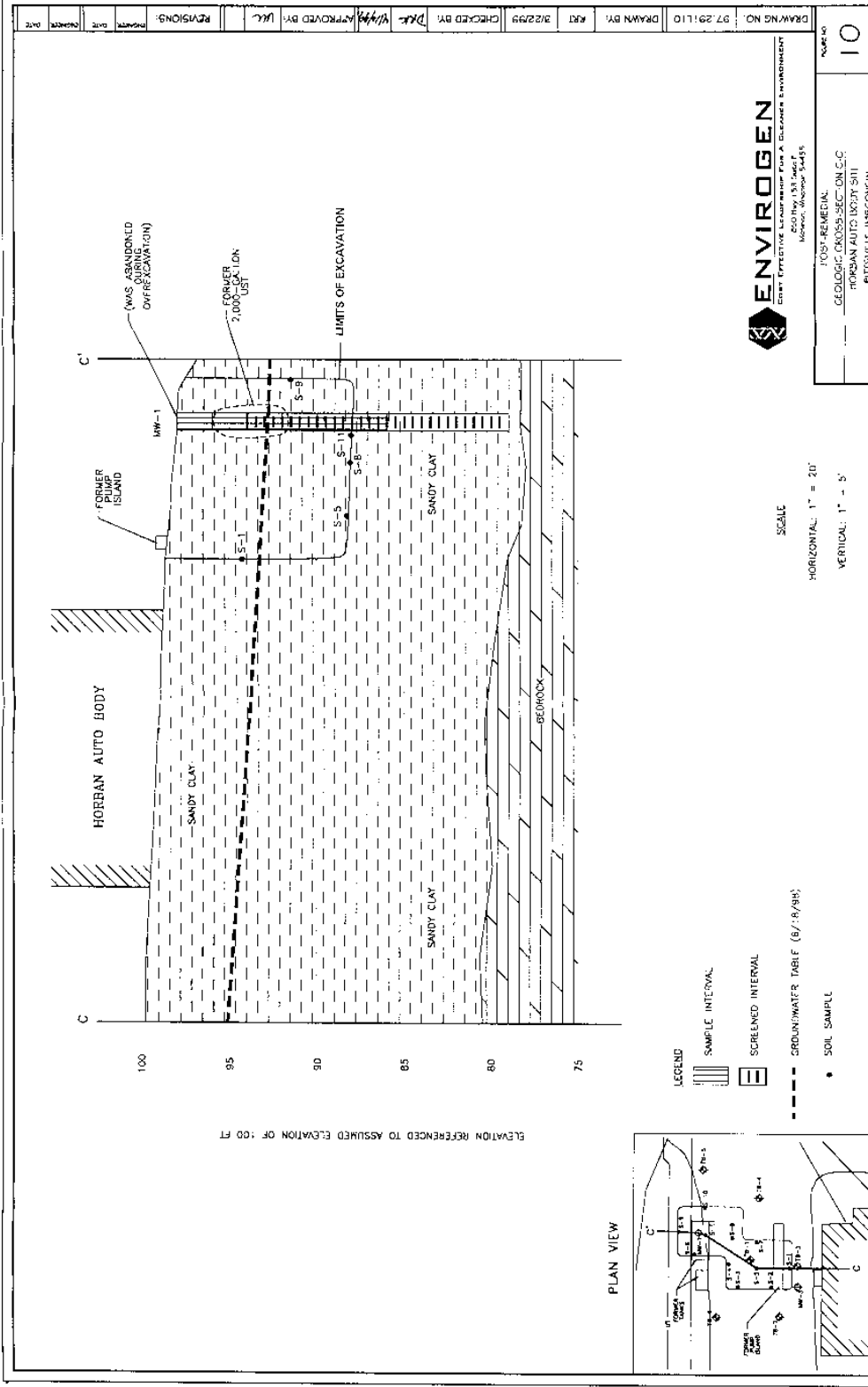


Table 3

Groundwater Sample Laboratory Analytical Results
Horban Auto Body Site
Pittsville, Wisconsin
October 30, 1997

Sample	MW-1	MW-2	MW-3	MW-1 Dup	Decon Blank	Trip Blank	NR 140 ES	NR 140 PAL
GRO	2,900	<50	100	2,700	<50	<50	NS	NS
Lead	<0.89	<0.89	<0.89	NA	NA	NA	15	1.5
VOC Constituents								
Benzene	56	13	1	52	<0.10	<0.10	5.0	0.5
Ethylbenzene	98	<0.25	<0.25	93	<0.25	<0.25	700	140
Naphthalene	67	0.23	2.2	69	<0.10	<0.10	40	8
Toluene	16	0.22	0.19	16	0.14	<0.10	343	68.6
n-Butylbenzene	25	<0.25	0.43	24	<0.25	<0.25	NS	NS
sec-Butylbenzene	4.4	<0.25	0.36	4.0	<0.25	<0.25	NS	NS
1,2-Dichloroethane	<0.50	1.5	<0.25	<0.50	<0.25	<0.25	5.0	0.5
Isopropylbenzene	14	<0.25	0.43	14	<0.25	<0.25	NS	NS
p-Isopropyltoluene	16	<0.25	<0.25	16	<0.25	<0.25	NS	NS
n-Propylbenzene	52	<0.25	0.74	50	<0.25	<0.25	NS	NS
1,2,4-TMB	260	0.17	1.2	250	<0.10	<0.10	NS	NS
1,3,5-TMB	120	<0.10	0.17	110	<0.10	<0.10	NS	NS
Total Xylenes	100	<0.25	1.7	100	<0.25	<0.25	620	124
Methylene Chloride*	0.92	0.60	<0.25	0.84	<0.25	1.5	150	15

Notes:

(Continued)

All results in ppb unless otherwise noted.

*: Lab contaminant



Shading indicates value equals or exceeds the NR 140 enforcement standard

Cross hatching indicates value equals or exceeds the NR 140 preventive action limit

VOC: Volatile organic compound

TMB: Trimethylbenzene

GRO: Gasoline range organics

ES: Enforcement standard

PAL: Preventive action limit

NA: Not analyzed

NS: No standard

Checked by: DA/C Approved by: UC

Table 3 (Continued)

Groundwater Sample Laboratory Analytical Results
 Horban Auto Body Site
 Pittsville, Wisconsin

Sample	MW-1	MW-2	MW-3	MW-10	MW-11	MW-12	MW-13	MW-20	MW-21	MW-2 Dup	Decon Blank	Trip Blank	NR 140 ES	NR 140 PAL
GRO	3,700	<50	210	<50	<50	<50	<50	NA	<50	<50	<50	<50	NS	NS
Lead	NA	NA	NA	<0.89	<0.89	<0.89	<0.89	NA	<0.89	NA	NA	NA	15	1.5
VOC Constituents														
Benzene	45	12	1.0	<0.10	<0.10	<0.10	0.22	NA	<0.10	4	<0.10	<0.10	5.0	0.5
Ethylbenzene	100	<0.22	<0.22	<0.25	<0.25	<0.25	0.33	NA	<0.25	<0.22	<0.25	<0.25	700	140
Naphthalene	NA	NA	NA	1.3	<0.10	<0.10	<0.10	NA	<0.10	NA	<0.10	<0.10	40	8
Toluene	18	<0.20	<0.20	0.34	<0.10	0.11	0.34	NA	<0.10	<0.20	<0.10	<0.10	343	68.6
1,2-Dichloroethane	NA	NA	NA	<0.25	<0.25	<0.25	0.45	NA	2	NA	<0.25	<0.25	5.0	0.5
1,2,4-TMB	220	<0.22	2.7	3.2	0.17	<0.10	0.45	NA	<0.10	0.30	<0.10	<0.10	NS	NS
1,3,5-TMB	110	<0.29	<0.80	0.75	<0.10	<0.10	0.14	NA	<0.10	<0.29	<0.10	<0.10	NS	NS
Total Xylenes	50	0.40	3.7	1.4	0.37	<0.25	1.4	NA	<0.25	0.97	<0.25	<0.25	620	124

Notes:

All results in ppb unless otherwise noted.
 Monitoring wells MW-2, MW-3, MW-4, MW-10, MW-11, MW-12, and MW-13 were sampled on February 9, 1998.
 Monitoring wells MW-1 and MW-21 were sampled on June 18, 1998.

Shading indicates value equals or exceeds the NR 140 enforcement standard

Cross hatching indicates value equals or exceeds the NR 140 preventive action limit

VOC: Volatile organic compound

GRO: Gasoline range organics

ES: Enforcement standard

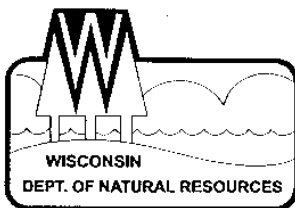
PAL: Preventive action limit

TMB: Trimethylbenzene

NA: Not analyzed

NS: No standard

Checked by: DickApproved by: WLC



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Scott A. Humrickhouse, Regional Director

Wisconsin Rapids Office
473 Griffith Avenue
Wisconsin Rapids, Wisconsin 54494-7859
Telephone 715-421-7800
FAX 715-421-7830

September 13, 1999

File Ref: 03-72-001294

Mr. Walter Horban
8739 Hwy. 13 North
Pittsville, WI 54466

FILE COPY

SUBJECT: Conditional Case Closure, Horban Auto Body Site, 8739 Hwy. 13 North,
Pittsville,, Wisconsin.

Dear Mr. Horban:

On September 9, 1999, the above named site was reviewed by the Wisconsin Department of Natural Resources West (DNR) Central Region closeout committee for a determination as to whether or not the case qualified for close out under Wis. Adm. Code (WAC) ch. NR 726. Groundwater samples indicate WAC ch. 140 groundwater quality enforcement standard (ES) exceedences for benzene and naphthalene is present in the groundwater at the site. Due to the presence of residual groundwater contamination at this site, a clean closure can not be granted in this case at this time. However, based on the investigative and remediation documentation provided to the Department, it appears that the extent of the petroleum contamination at the above-named site has been investigated and remediated to the extent practicable, and that natural attenuation will be effective in reducing the mass of residual contamination at this site. Therefore, the Department considers the case "closed," having determined pursuant to WAC NR 726, that no further action is necessary on the site at this time, providing the following two conditions are met.

The first condition of the closeout for this case is that the owner is required to sign and record a groundwater use restriction (I have attached a deed restriction template for your convenience) describing the type, location, and extent of the residual groundwater contamination, on the deed for the property and requiring that Department (or successor agency) approval must be obtained before any water supply wells are reconstructed or installed on the property and that if contaminated groundwater is extracted from the property (i.e. for construction purposes) the groundwater must be managed in compliance with applicable laws and regulations. The deed restriction document must be submitted to the Department for approval within 30 days after receipt of this letter, and the documents must be registered with the County Register of Deeds fifteen days after

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September 13, 1999
Mr. Walter Horban
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REF: 03-72-001294

receiving Department approval. To document that this condition has been complied with, the property owner must submit to the Department a copy of the recorded deed restriction, with the recording information stamped on it, within 15 days after the County Register of Deeds returns the deed restriction to the property owner. The deed restriction may be amended in the future with the approval of Department if conditions change at the site such that the residual contamination is completely remediated (if deemed necessary).

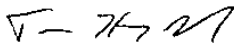
The second condition of the closeout of this case is the proper abandonment of the monitoring wells currently at the site (pursuant of WAC NR 141). Documents should be forwarded to me at the WDNR Wisconsin Rapids office that substantiates proper abandonment (Form 3300-5W).

If you have additional relevant information which was not formerly provided to the Department, and which you feel would significantly impact the Department's closure decision, you may submit that information for our re-evaluation of case closure.

You should note that this letter does not constitute Department "certification" under s. 292.15(2)(a)3, Stats., as created by 1993 Wisconsin Act 453 (May 12, 1994). Also, in 1997 Wisconsin Act 27, the legislature amended s. 292.15, Wis. Stats., creating the new "Voluntary Party Remediation and Exemption from Liability" statute. This statute provides liability protection for persons who did not intentionally or recklessly cause the release of a hazardous substance and who conducts an environmental investigation and cleans up property by restoring the environment to the extent practicable and in accordance with rules promulgated by the Department. Upon completion of the cleanup, the person receives a "certificate of completion" that provides an exemption from the "Hazardous Substance Spills" statute and protection from future liability for the past releases. You must apply for the program by filling out an application form and fees are charged to cover administrative costs associated with the program. If you are interested in more information about the program or would like an application package, please call Loren Brumberg at the West Central Region Office in Eau Claire at 715-839-3770.

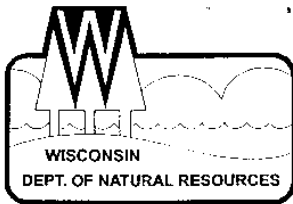
Once the deed restriction and monitoring well abandonment forms have been properly submitted to this office we will issue the final closure letter for this site. Thank you for your efforts to cleanup Wisconsin's environment. If you should have any questions regarding this letter please contact me at (715) 421-7850.

Sincerely,



Tom Hvizdak
Hydrogeologist

c: Dale Kauzlaric, Envirogen, 850 Hwy 153, Suite F, Mosinee, WI 54455



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Scott A. Humrickhouse, Regional Director

Wisconsin Rapids Office
473 Griffith Avenue
Wisconsin Rapids, Wisconsin 54494-7859
Telephone 715-421-7800
FAX 715-421-7830

February 2, 2000

File Ref: 03-72-001294

Mr. Walter Horban
8739 Hwy. 13 North
Pittsville, WI 54466

FILE COPY

SUBJECT: Conditional Case Closure with Groundwater Use Restriction,
Horban Auto Body Site, 8739 Hwy. 13 North, Pittsville,, Wisconsin.

Dear Mr. Horban:

The Wisconsin Department of Natural Resources (WDNR) west central region has received the monitoring well abandonment forms for the monitoring wells associated with the subsurface environmental assessment conducted by your consultant for the above referenced site, and a copy of the groundwater use restriction deed affidavit (with the recording information stamped on it) recorded with the Wood County Register of Deeds as required by WDNR west central closure committee as conditions for closure of this site. The investigative and remediation documentation provided to the Department, indicates that the extent of the petroleum contamination at the above-named site has been investigated and remediated to the extent practicable, and that natural attenuation will be effective in reducing the mass of residual contamination at this site. Therefore, based on all information contained in the site file and the information included in the well abandonment form and deed affidavit submitted by you, it is the decision of the DNR that, **no further investigatory or clean-up action is needed at the above referenced site at this time and that this site is considered closed.**

You should note that this letter does not constitute Department "certification" under s. 292.15(2)(a)3, Stats., as created by 1993 Wisconsin Act 453 (May 12, 1994). Also, in 1997 Wisconsin Act 27, the legislature amended s. 292.15, Wis. Stats., creating the new "Voluntary Party Remediation and Exemption from Liability" statute. This statute provides liability protection for persons who did not intentionally or recklessly cause the release of a hazardous substance and who conducts an environmental investigation and cleans up property by restoring the environment to the extent practicable and in accordance with rules promulgated by the Department. Upon completion of the

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January 25, 2000
Mr. Walter Horban
Page 2

BRRTS #03-72-001294

cleanup, the person receives a "certificate of completion" that provides an exemption from the "Hazardous Substance Spills" statute and protection from future liability for the past releases. You must apply for the program by filling out an application form and fees are charged to cover administrative costs associated with the program. If you are interested in more information about the program or would like an application package, please call Loren Brumberg at the West Central Region Office in Eau Claire at 715-839-3770.

The Department appreciates the actions you have undertaken to restore the environment. If you have any questions, please feel free to call me at (715) 421-7850.

Sincerely,



Tom Hvizdak
Hydrogeologist

c: Dale Kauzlaric, Envirogen, 850 Hwy 153, Suite F, Mosinee, WI 54455